IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

SATURDAY, THE 1ST DECEMBER 2007 / 10TH AGRAHAYANA 1929

WP(C).No. 17631 of 2007(Y)

PETITIONERS:

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1. **T.X.JOSE, THACHUTHARA HOUSE, CHITTOOR ROAD, KOCHI - 18.**

2. **K.P.PAUL, KOLARICKAL HOUSE, CHERANELLUR, ERNAKULAM DISTRICT.**

3. **P.D.PAILY, PADAYATTIL HOUSE, PARAKKADAVU, ELAVOOR P.O., ANGAMALY.**

4. **T.K.MOHANAN, THONIPARAMBIL HOUSE, NEELISWHARAM P.O., ERNAKULAM DISTRICT.**

5. **S.I.THOMAS, SANKOORIKKAL HOUSE, P.O.MALAYATOOR, ALUVA TALUK.**

6. **P.S.SANTHOSH KUMAR, PARAKKATTU HOUSE, P.O.SREEMOOLANAGARAM, ERNAKULAM DISTRICT.**

BY ADV. SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE

RESPONDENTS:

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1. **STATE OF KERALA, REPRESENTED BY ITS PRINCIPAL SECRETARY, DISASTER MANAGEMENT (REVE - SLMC) DEPARTMENT, THIRUVANANTHAPURAM.**

2. **THE DISTRICT COLLECTOR, ERNAKULAM.**

BY GOVERNMENT PLEADER SRI. M.R. SABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/12/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

WPC.NO.17631/2007 Y

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE LETTER DTD. 19/05/2007 ISSUED BY THE 2ND RESPONDENT.**

EXT.P2: **COPY OF LETTER DTD. 17/05/2007 ISSUED BY THE 2ND RESPONDENT.**

/TRUE COPY/

P.A.TO JUDGE

KSS

ANTONY DOMINIC, J.

W.P.(C)NO.17631 OF 2007 - y

Dated this the 1st day of December, 2007.

JUDGMENT

The complaint of the writ petition filed by the contractors, who have undertaken works awarded by the respondents is regarding the non-payment of their bill amounts. In the counter affidavit filed by the respondents, they admit that substantial amounts are due. It is stated therein that so far as the 1st petitioner is concerned, an amount of Rs.12,47,331/= and Rs.45,500/= is due. So far the 2nd petitioner is concerned, the admitted amount is Rs.7,17,168/=. For the 3rd petitioner, it is Rs.1,32,528/=, for the 4th petitioner, it is Rs.2,46,752/=, for the 5th petitioner, it is Rs.2,89,907/= and for the 6th petitioner, it is Rs.71,396/=.

2. Since the respondents are admitting their liability to the extent indicated above, the amounts have to be paid. However, the respondents plead financial constrains and seek time for payment. In view of the fact that amounts have been admitted to be due, I dispose of this writ petition directing that admitted

amounts to be paid to the petitioners within three months from the date of production of a copy of this judgment.

The writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

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